

REMARKS

This application has been carefully reviewed in light of the Office Action dated February 8, 2006. Claims 1, 3, 5, 7 to 12, 14 to 19 and 21 to 28 are pending in the application, of which Claims 1, 3, 5, 12, 19, 21, 23 and 25 to 28 are independent.

Reconsideration and further examination are respectfully requested.

Claims 1, 5, 7 to 12 and 14 to 19 were rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 6,809,831 (Minari), U.S. Patent No. 5,845,065 (Conte) and U.S. Patent No. 4,974,151 (Advani). Claim 3 was rejected under 35 U.S.C. § 103(a) over Minari and Conte in further view of U.S. Patent No. 6,360,477 (Hattori). Reconsideration and withdrawal of these rejections are respectfully requested.

Turning to specific claim language, independent Claim 1 is directed to an image forming system including a server and client computers and at least one image forming device which communicates with the server, and devices of which one or a plurality can be connected to the server. The system includes: input means for inputting to the server a job to be printed by an image forming device; rendering means for rendering the job input by the input means into an image; output means for outputting an image rendered by the rendering means to an image forming device specified by the job; setting means for setting the specified image forming device as an output destination at the server; output destination information holding means for holding a number of image forming devices set as output destinations by the setting means; displaying means for setting dialog on a display unit which shows information of the image forming devices; recognizing means for recognizing a presence of devices connected to the server, and a number thereof connected in response to obtaining instruction to add new image forming devices as output

destinations, wherein the instruction is input via the display unit; and determination means for determining a number N of the devices connected to the server that have been recognized by the recognizing means, and a number M of image forming devices already set as output destinations by the holding means and the new image forming device, when the specified image forming device is set as an output destination by the setting means. In an event that the determination means judges M to be less than N , setting of the specified image forming device as the output destination is permitted, and the number of image forming devices set as output destinations held by the holding means is updated, and, in an event that the determination means judges N and M to be equal, setting of the specified image forming device as the output destination is not permitted.

Therefore, an image forming system in accordance with Claim 1 includes the capability of when M is judged to be less than N , setting of the specified image forming device as the output destination is permitted, and the number of image forming devices set as output destinations held by the holding means is updated, and, when N and M are judged to be equal, setting of the specified image forming device as the output destination is not permitted. That is, the image forming system judges whether to set an output destination based on the number of the licenses.

In contrast, Minari merely discloses a conventional server based printer system without a licensing technique. In Minari, a print processing system continues the processing of a print job by a replaced printer even in the case where the processing of the print job is discontinued. The print processing system operates in a network environment including a plurality of printers, such as printers 107 and 108 of FIG. 1 of Minari. The print processing system includes a print processing program (of FIG. 6) having a status

obtaining program 604. However, Minari fails to disclose or suggest that when M is judged to be less than N, setting of the specified image forming device as the output destination is permitted, and the number of image forming devices set as output destinations held by the holding means is updated, and, when N and M are judged to be equal, setting of the specified image forming device as the output destination is not permitted.

Furthermore, Conte discloses a license compliance apparatus coupled to a network that monitors launching of software applications by clients on the network. Each time a software application is launched, the client requests a license from the license compliance apparatus based on availability of a license for the software application. (See Conte, column 26, lines 38 to 44.) However, Conte fails to disclose or suggest that which is missing from Minari, namely that when M is judged to be less than N, setting of the specified image forming device as the output destination is permitted, and the number of image forming devices set as output destinations held by the holding means is updated, and, when N and M are judged to be equal, setting of the specified image forming device as the output destination is not permitted.

Finally, Advani discloses prompting a user to add a device. Once the user responds, the system will then display a list of device types such as diskette, tape, printer, plotter, display, and the like, and prompt the user to enter one of the device types. In the example given in Advani, the user enters a device type. Alternatively, the user could have simply typed the device type with the add command as, for example, "a printer" or "add printer". When the device type has been specified, the system then displays a list of predefined devices of that device type and prompts the user to select one. Upon selection,

the system responds with a message indicating that all parameter information is predefined and asks the user if the parameters or settings should be displayed. The user is then prompted to verify that the printer is to be added. (See Advani, column 5, line 45, to column 6, line 10.) However, Advani fails to disclose or suggest that which is missing from Minari and Conte, namely that when M is judged to be less than N, setting of the specified image forming device as the output destination is permitted, and the number of image forming devices set as output destinations held by the holding means is updated, and, when N and M are judged to be equal, setting of the specified image forming device as the output destination is not permitted.

Therefore, neither Minari, Conte nor Advani, neither alone nor in combination, disclose or suggest all of the features of Claim 1 and, in particular, fail to disclose or suggest at least the feature of that when M is judged to be less than N, setting of the specified image forming device as the output destination is permitted, and the number of image forming devices set as output destinations held by the holding means is updated, and, when N and M are judged to be equal, setting of the specified image forming device as the output destination is not permitted.

In light of the deficiencies of Minari, Conte and Advani as discussed above, Applicant submits that Claim 1 is in condition for allowance and respectfully requests same.

Claims 21, 25 and 26 are directed to a server apparatus, a method, and a computer-readable medium substantially in accordance with the system of Claim 1. Accordingly, Applicant submits that Claims 21, 25 and 26 are also now in condition for allowance and respectfully requests same.

Independent Claim 3 is directed to an image forming system including a server and client computers connected to a network, one or a plurality of image forming devices connected to either the network or the server, and devices of which one or a plurality can be connected to the server and which can be recognized by the server. The system comprises: input means for inputting to said the server a job to be printed by an image forming device; rendering means for rendering the job inputted by said input means into an image; output means for outputting an image rendered by said rendering means to an image forming device specified by the job; setting means for setting the specified image forming device as an output destination at the server; output destination information holding means for holding a number of image forming devices set as output destinations by said setting means; and recognizing means for recognizing a presence of devices connected to the server and a number thereof connected, wherein the server periodically recognizes the number of devices connected to the server using said recognizing means, and determines a number n of recognized devices with a number m of image forming devices set as output destinations held in said output destination information holding means, and, in an event that n is judged to be less than m , a number of image forming devices for distributing and outputting jobs is restricted to at most the number n of recognized devices by recognizing means, or no jobs are output.

Accordingly, an image forming system in accordance with Claim 3 judges whether to set an output destination based on the number of the licenses as featured in Claim 1. In Claim 3, however, the server periodically recognizes the number of devices connected to the server rather than in response to an to obtaining instruction.

Claim 3 was rejected under 35 U.S.C. § 103(a) over Minari and Conte in further view of U.S. Patent No. 6,360,477 (Hattori). For a discussion of the deficiencies of Minari and Conte, the Examiner's attention is directed to the remarks from above in support of Claim 1.

In contrast to Claim 3, Hattori is directed to generating service information for a user from Quality of Service (QOS) information. Hattori discloses that, for a computer to sense the event of a connection a device, there may be periodically conducted a polling operation to recognize presence or absence of the device. However Hattori fails to disclose or suggest that which is missing from Minari and Conte, namely that when in the event that n is judged to be less than m , a number of image forming devices for distributing and outputting jobs is restricted to at most the number n of recognized devices by recognizing means, or no jobs are output.

Therefore, neither Minari, Conte nor Hattori, neither alone nor in combination, disclose or suggest all of the features of Claim 3 and, in particular, fail to disclose or suggest at least the feature of that when in the event that n is judged to be less than m , a number of image forming devices for distributing and outputting jobs is restricted to at most the number n of recognized devices by recognizing means, or no jobs are output.

In light of the deficiencies of Minari and Conte and Advani as discussed above, Applicant submits that Claim 3 is now in condition for allowance and respectfully requests same.

Claims 27 and 28 are directed to a method and a computer-readable medium, respectively, substantially in accordance with the system of Claim 3.

Accordingly, Applicant submits that Claims 27 and 28 are also in condition for allowance and respectfully requests same.

Claim 5 is directed to an image processing device for outputting image data to a plurality of image forming devices. The image processing device comprises: input means for inputting an image forming job, wherein one of the plurality of image forming devices is specified as an output destination; image processing means for generating image data for the specified image forming device based on the image forming job; image output means for outputting image data generated by said image processing means to the specified image forming device; connecting means for connecting to one or a plurality of devices; and control means for restricting a number of image forming devices capable of receiving image data outputted from said image output means, of the plurality of image forming devices, based on a number of devices connected to said connecting means, wherein, in an event that the number of devices connected to said connecting means is less than a number of the plurality of image forming devices, said control means selects a number of image forming devices corresponding to a difference in these numbers, and forbids image data outputted from said image output means from transmitting to the selected image forming devices.

Claim 5, among other features, includes the feature that in an event that the number of devices is less than a number of the plurality of image forming devices, a control means selects a number of image forming devices corresponding to a difference in these numbers, and forbids image data outputted from said image output means from transmitting to the selected image forming devices. Accordingly, Applicant submits that the discussion from above in regard to Claims 1 and 3 applies as well to Claim 5. That is,

as neither Minari, Conte nor Advani, neither alone nor in combination, disclose or suggest all of the features of Claim 5 and, in particular, fail to disclose or suggest at least the feature of that in an event that the number of devices is less than a number of the plurality of image forming devices, a control means selects a number of image forming devices corresponding to a difference in these numbers, and forbids image data outputted from said image output means from transmitting to the selected image forming devices.

In light of the deficiencies of Minari, Conte and Advani as discussed above, Applicant submits that Claim 5 is in condition for allowance and respectfully requests same.

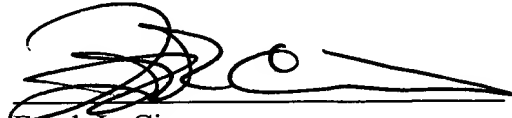
Claims 12 and 19 are directed to a method and a computer-readable medium, respectively, substantially in accordance with the system of Claim 5. Accordingly, Applicant submits that Claims 12 and 19 are also in condition for allowance and respectfully requests same.

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed allowable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the allowability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our Costa Mesa, CA office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Frank L. Cire', written over a horizontal line.

Frank L. Cire
Attorney for Applicant
Registration No. 42,419

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

CA_MAIN 112234v1